



BARLEY SNYDER, LLC
1000 WESTLAKES DRIVE, SUITE 275
BERWYN PA 19312

COPY MAILED

DEC 22 2006

OFFICE OF PETITIONS

In re Application of
TEMESI et al.
Application No. 10/685,112
Filed: October 14, 2003
Attorney Docket No. 21334-1267

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 14, 2006, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed July 7, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 8, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a RCE, a submission on September 7, 2005 that meets the reply requirements of 37 CFR 1.111, and the requisite fee; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final rejection of July 7, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4787.

The application matter is being forwarded to Technology Center Art Unit 2838.


Denise Pothier
Petitions Examiner
Office of Petitions